

#9



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

: Anjana Agarwal, et al.

FOR

: **APPARATUS, METHOD AND SYSTEM
FOR PROVIDING A DEFAULT MODE
FOR AUTHENTICATION FAILURES IN
MOBILE TELECOMMUNICATION
NETWORKS**

SERIAL NO.

: 09/591,759

FILED

: June 12, 2000

EXAMINER

: Thomas R. Peeso

ART UNIT

: 2132

CONFIRMATION NO.

: 4750

ATTORNEY DOCKET NO.

: LUTZ 200129
Agarwal 10-5-7-16

RECEIVED

DEC 17 2004

Technology Center 2100

**PETITION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED**

Mail Stop: Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22312-1450

Dear Sir:

REQUEST

1. Applicants request that the abandonment in the above-identified patent application be withdrawn.

PROMPTNESS OF SUBMISSION

This information is being submitted promptly after applicants learned of the abandonment on the basis of:

- ☒ the Notice of Abandonment mailed by the PTO on December 2, 2004.

SUBMISSION

2. Submitted herewith is:

- ☒ A copy of the page of the response mailed on June 25, 2004, showing a Certificate of Mailing executed on June 25, 2004. (Exhibit A)
- ☒ A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated June 28, 2004. (Exhibit B)
- ☒ A copy of the complete response previously filed. (Exhibit C - Amendment A, Exhibit D - Submission of Formal Drawings)

STATEMENT

3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above based on:

- ☒ personal knowledge (Exhibit E - Statement of Laurie A. Boylan)

4. Please proceed with further examination of this application on the basis of:

- ☒ The attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

5. Acknowledgement of the active status of this application is respectfully requested.

FEES

6. No fees are believed due with this submission; however, should any fees be deemed necessary, please charge Deposit Account No. 06-0308 in the full amount.

Dec 13, 2004
Date

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

Joseph D. Dreher
Joseph D. Dreher
Reg. No. 37,123
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2579
216-861-5582

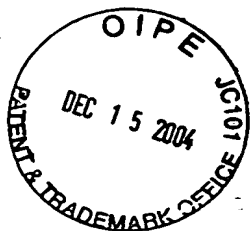
CERTIFICATE OF MAILING

I certify that this Petition for Withdrawal of Abandonment - PTO has no Evidence that Mailed Correspondence REceived and Statement of Laurie A. Boylan are being

- ☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: Mail Stop: Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Express Mail Label No.:
Date <u>Dec 13, 2004</u>

Signature <u>Roseanne Giuliani</u>
Printed Name Roseanne Giuliani



Case Name/No. Agarwal 10-5-7-16
Attorney Docket No.: LUTZ 2 00129

AMENDMENT TRANSMITTAL LETTER

Ser. No.: 09/591,759	Filed: June 12, 2000	Examiner: Thomas R. Peeso
Art Unit: 2132	Title: APPARATUS, METHOD AND SYSTEM FOR PROVIDING A DEFAULT MODE FOR AUTHENTICATION FAILURES IN MOBILE TELECOMMUNICATION NETWORKS	

To the Commissioner for Patents:

Transmitted herewith is an *Amendment A* in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims remaining after amendment		Highest Number Previously Paid For	No. of Extra Claims Present	Rate	Additional Rate
Total Claims	31	Minus	33	0	X 18	\$0.00
Indep. Claims	5	Minus	5	0	X 86	\$0.00
TOTAL					=	\$0.00

- ☒ No additional fee is required.
☐ A check in the amount of \$ _____ is attached.
☐ Charge \$ _____ to Deposit Account No. 06-0308.
☐ Applicants hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a _____ month extension of time to respond to the outstanding Office Action. Enclosed is a check in the amount of \$ _____ to cover the applicable extension of time fees.
☒ Applicants request any extensions of time that may be necessary and authorize the required fees be charged to Deposit Account No. 06-0308.
☒ Please charge any additional fees or credit overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP

RECEIVED

DEC 17 2004

June 25, 2004
Date

Joseph D. Dreher
Joseph D. Dreher, Reg. No. 37,123
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216/861-5582

CERTIFICATE OF MAILING

I certify that this Amendment Transmittal Letter and accompanying document(s) are being
☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
☐ transmitted to facsimile number _____ under 37 C.F.R. 1.8 on the date indicated below.
☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
Date <u>June 25, 2004</u>

Signature <u>Laurie A. Boylan</u>
Printed Name Laurie A. Boylan

N:\LUTZ\200129\US\LAB0002535V001.doc

EXHIBIT A

Grant.

NO. 152

Inventor/Applicant: Agarwal et al.

Title: APPARATUS METHOD AND SYSTEM FOR...

Attorney Docket No. LOT 2 00129 Initials ACB/129

Pat. No. 5,759,759

Ser. No. 5,759,759

Filed June 12, 2000

Date June 25, 2004

☐ PATENT/DESIGN APPLICATION

☐ New Application Transmittal

☐ Cont. ☐ Div. ☐ C-I-P ☐ Provisional

☐ CPA Transmittal ☐ PCT Request

☐ Declaration/Power of Atty.

☐ pgs. Specification

☐ pgs. Claims

☐ total ☐ independent

☒ pgs. Abstract

☒ Sheet(s) of drawing(s) Figs. 1-4

☒ formal ☐ informal

☐ Preliminary Amendment

☐ Request and certification under 35 U.S.C. 122(b)(2)(B)(i)

☐ Claim for Right of Priority

☐ Appln. ☐ Filed

☐ Priority document(s)

☐ Small Entity Statement(s)

☐ Final Fee ☐ Publication Fee

☐ Response to missing parts

☐ ASSIGNMENT

☐ Transmittal ☐ Confirmatory

☐ INFORMATION DISCLOSURE STATEMENT

☐ PTO Form 1449 ☐ Refs.

☒ AMENDMENT (Due June 30, 2004)

☒ Transmittal(s)

☐ Extension of Time (For ☐ month(s))

☐ NOTICE OF APPEAL

☐ PCT DEMAND (Due ☐)

☐ CHECK(S) in Amount \$ ☐

☒ OTHER Submission of formal drawings

RECEIPT IS HEREBY ACKNOWLEDGED

O I P E
JUN 28 2004
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EXHIBIT B

#12

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Anjana Agarwal, et al.
FOR : APPARATUS, METHOD AND SYSTEM FOR
PROVIDING A DEFAULT MODE FOR
AUTHENTICATION FAILURES IN MOBILE
TELECOMMUNICATION NETWORKS
SERIAL NO. : 09/591,759
FILED : June 12, 2000
ART UNIT : 2132
CONFIRMATION NO. : 4750
ATTORNEY DOCKET NO. : LUTZ 2 00129
Case Name/No. Agarwal 10-5-7-16

SUBMISSION OF FORMAL DRAWINGS

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant(s) submit(s) four (4) sheets of formal drawings, FIGURES 1-4, herewith. Although no fees are believed to be required, applicant(s) authorize(s) and request(s) any additional fees be charged to Deposit Account No. 06-0308. An early indication of acceptability of the Formal Drawings is earnestly solicited.

Respectfully submitted,
FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

June 23, 2004
Date

Joseph D. Dreher
Joseph D. Dreher
Reg. No. 50,218
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2518
216/861-5582

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service as First Class Mail service on June 23, 2004 and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

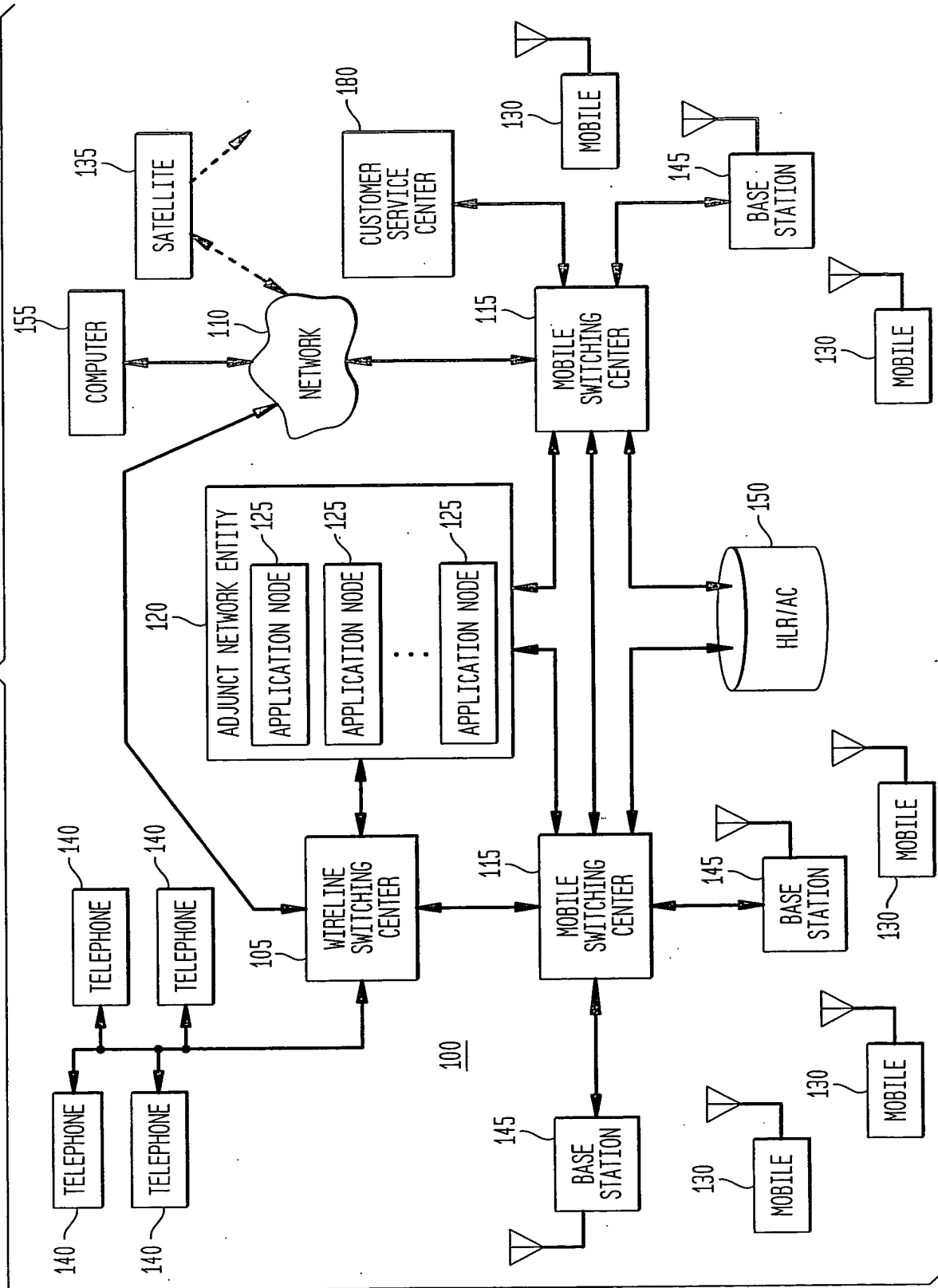
Laure A. Boylan
Laure A. Boylan

N:\LUTZ\200129\US\LAB0002541V001.doc

EXHIBIT D

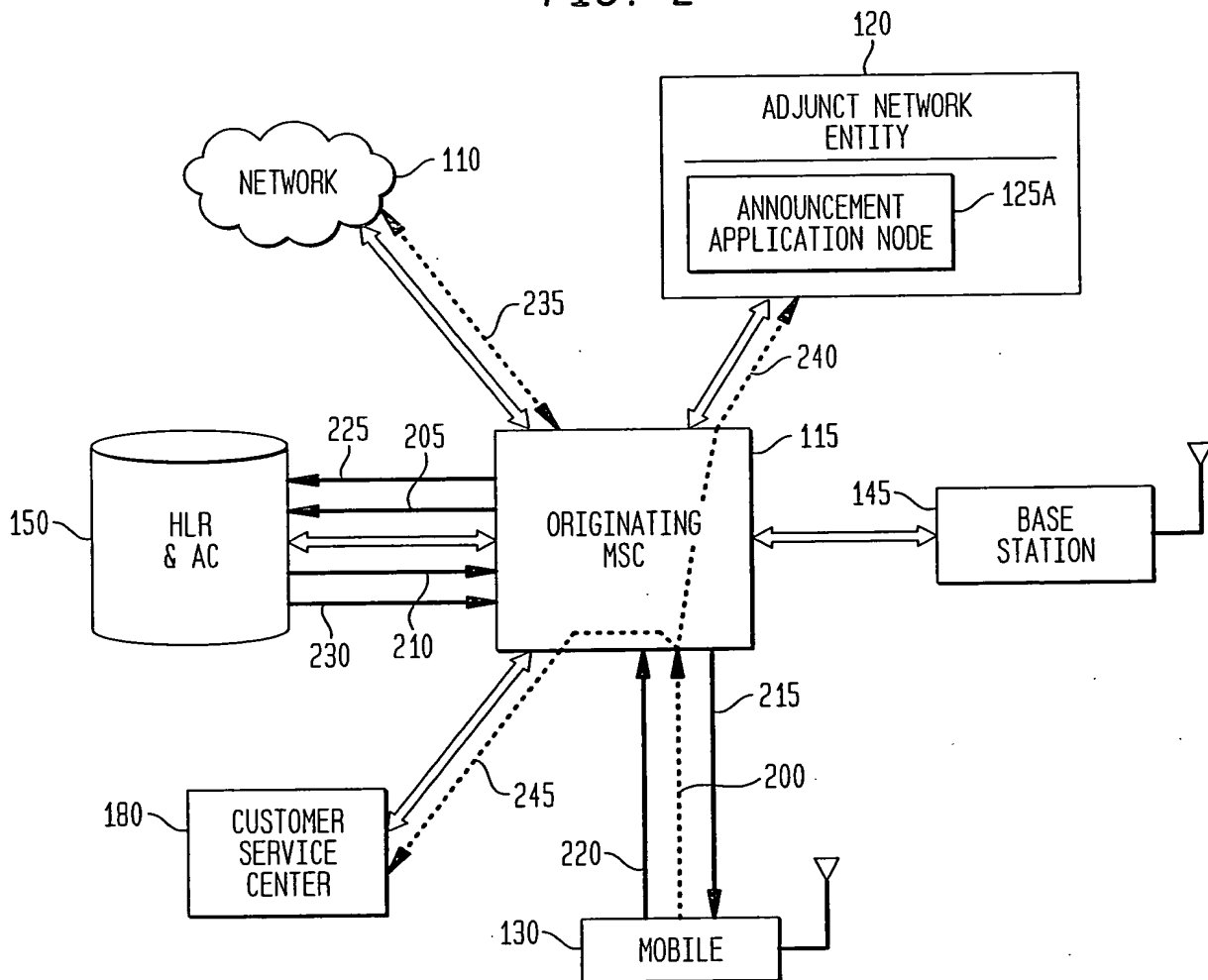
1/4

FIG. 1



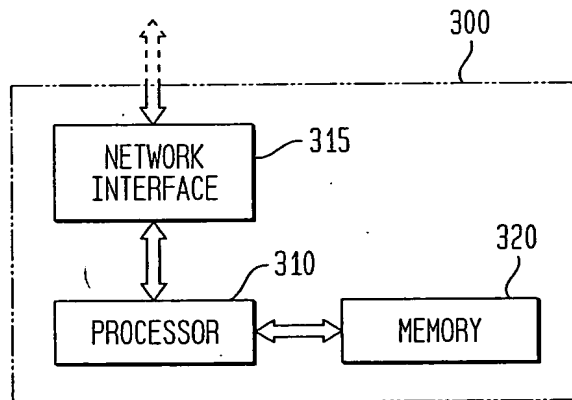
2/4

FIG. 2



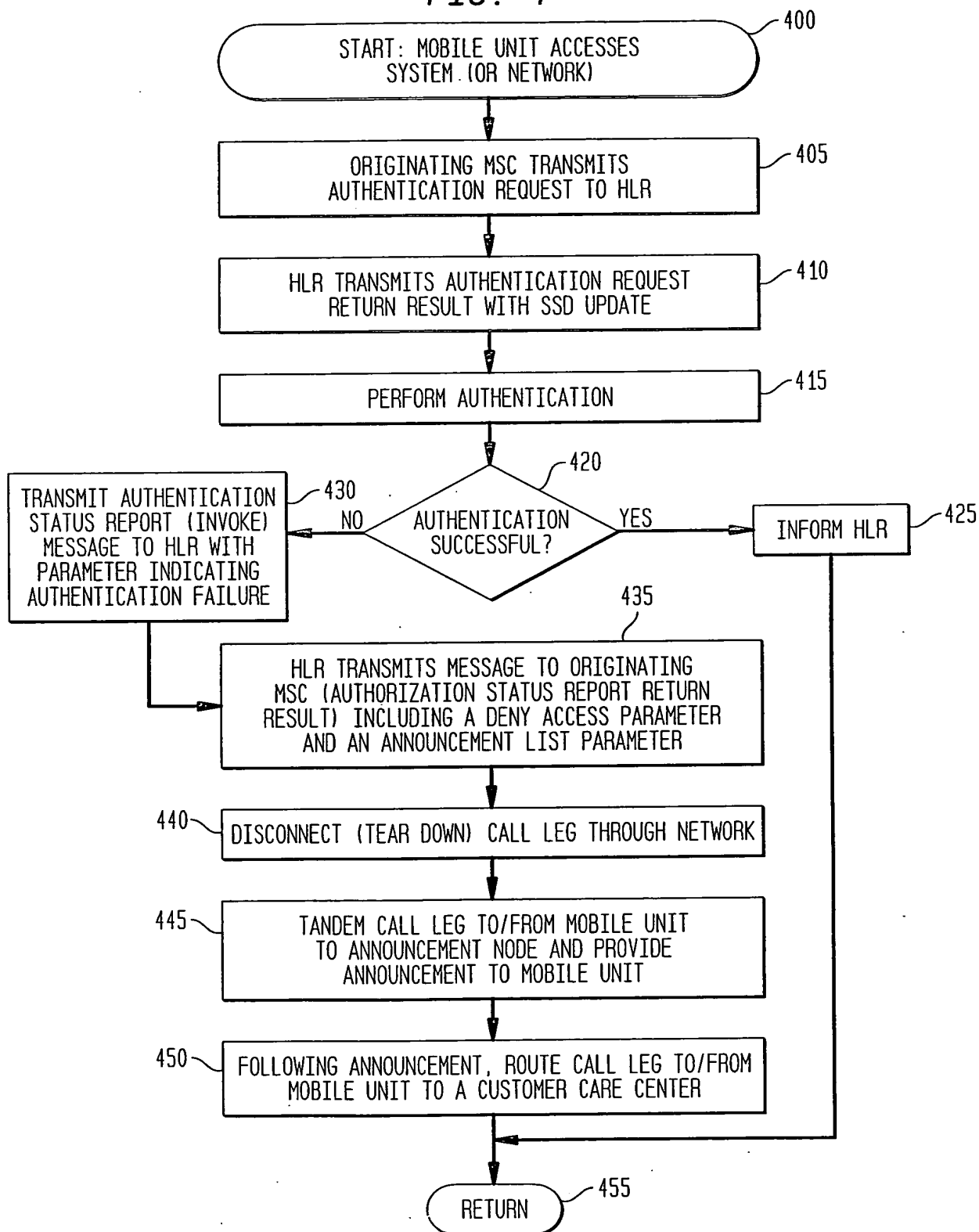
3/4

FIG. 3



4/4

FIG. 4





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ATTORNEY DOCKET NO. : LUTZ 200129
Agarwal 10-5-7-16

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STATEMENT OF LAURIE A. BOYLAN

I, Laurie A. Boylan, attest on the basis of personal knowledge, that a Response to the Office Action mailed June 25, 2004, in the form of an Amendment A and Submission of Formal Drawings, was filed in a timely manner. As evidenced from the PTO Mail Room acknowledgement postcard showing that the receipt was acknowledged on June 28, 2004, I further attest that I deposited the referenced Response documents with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 25, 2004.

Laurie A. Boylan
Laurie A. Boylan

December 13, 2004
Date